

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Klipsch Group, Inc.,

Plaintiff,

-v-

Big Box Store Ltd. d/b/a BigBoxStore.com and  
BigBoxSave.com, *et al.*,

Defendants.

12 Civ. 6283 (AJN)

ORDER

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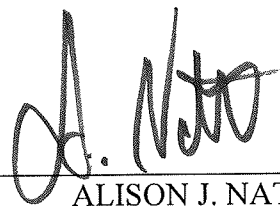
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ALISON J. NATHAN, District Judge:

In the parties' briefing addressing the October 16, 2012 Order to Show Cause (Docket # 73), the Court is interested in seeing the parties address (1) Plaintiff's argument that statutory damages under the Lanham Act constitute equitable relief (Pl. Mem. of Law in Support of Stay Pending Appeal at 7-8) in light of the Supreme Court's decision in *Feltner v. Columbia Pictures Television, Inc.*, 523 U.S. 340 (1998) and (2) the question of whether the accounting to which Plaintiff is entitled encompasses statutory damages even if the Court determines that those statutory damages are not equitable in nature.

Plaintiff shall docket its Memorandum of Law and Declaration in support of a stay pending appeal forthwith.

SO ORDERED.

Dated: October 17, 2012  
New York, New York



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ALISON J. NATHAN  
United States District Judge